

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARY PINDER, )  
Plaintiff, ) C.A. No. 18-115 Erie  
 )  
vs. ) District Judge Susan Paradise Baxter  
 )  
A.J. KENNELLEY, et al., )  
Defendants. )

**ORDER**

AND NOW, this 11<sup>th</sup> day of March, 2019,

For the reasons set forth in this Court's Memorandum Opinion issued on this date, IT IS  
HEREBY ORDERED that the motion to dismiss filed by Defendants Hermitage House,  
Overholt, Hepak, and Skeba [ECF No. 2] is GRANTED in part and DENIED in part, as follows:

1. Defendants' motion is GRANTED as to: Plaintiff's claims of negligent hiring against Defendants Hermitage House and Overholt; Plaintiff's Eighth Amendment claims against the same Defendants insofar as they relate to any allegations of sexual harassment; and Plaintiff's claim of civil conspiracy against all Defendants. All such claims are DISMISSED with prejudice
2. Defendants' motion is DENIED as to Plaintiff's claims of negligent retention and supervision against Defendants Hermitage House and Overholt; Plaintiff's Eighth Amendment claims against the same Defendants insofar as they relate to the sexual assault perpetrated by Defendant Kennelley; and Plaintiff's substantive due process claims against the same Defendants.

IT IS FURTHER ORDER that, in accordance with the foregoing, Defendants Hepak and Skeba are DISMISSED, and the Clerk is directed to terminate said Defendants from this case.

*Susan Paradise Baxter*  
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SUSAN PARADISE BAXTER  
United States District Judge